

**Minutes of Planning Commission Meeting  
held Monday, June 8, 2020, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order at 7:00 P.M. by Vice-Chairman David Dahl.

**Roll Call**

*Chairman:* Greg Sutton (*absent*)  
*Vice-Chairman:* David Dahl  
*Board Members:* Margo Moehring (*absent*) Britton Sanders Jon Scott Walker  
*Alternates:* Justin Lerman (*absent*) Colleen Murphy White (*absent*)

Also present was Senior Planner Heather Ireland.

**Approval of Minutes**

It was moved by Mr. Sanders, seconded by Mr. Walker, and passed unanimously to approve the following minutes:

- March 9, 2020

**Correspondence**

Ms. Ireland advised correspondence had been received for a couple of the agenda items and she would address them when the items came up.

**New Business**

(A) **PC#6-20** Concept Plan for Plat Application

**Owner/** BCEL, 5, LLC  
**Applicant:** 7563 Philips Highway, Suite 208  
Jacksonville, FL 32256  
**Agent:** Connelly and Wicker, Inc.  
10060 Skinner Lake Drive, Suite 500  
Jacksonville, FL 32246

**Location:** 922 3<sup>rd</sup> Avenue South

**Concept Plan for Plat Application** for a proposed six lot, fee-simple townhouse subdivision located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

**Staff Report:**

The subject property is located on the south side of 3<sup>rd</sup> Avenue South between 9<sup>th</sup> Street and 10<sup>th</sup> Streets South. The property has historically been in multiple-family residential use with two duplex buildings constructed in 1954. The new owner/applicant wishes to redevelop the property with a six-unit fee-simple townhouse project.

The applicant's proposed site plan shows six attached, fee-simple townhouse lots that meet the minimum *Residential, multiple-family RM-1* townhouse lot size and street frontage standards, (2,500 square foot exterior lots, and 1,500 square foot interior lots).

Adjacent property uses include a vacant lot and single-family residential to the east, multiple-family and single-family residential to the south, single-family residential and a church use in a single-family residential building to the west, and a church and single-family residential to the north across 3<sup>rd</sup> Avenue South. The proposed six-unit townhouse project is consistent with *RM-1* zoning district requirements.

**Public Hearing:**

Mr. Charles Kennedy, a representative for Agent, was present to answer any questions from the Planning Commission.

Mr. Dahl closed the Public Hearing.

**Discussion:**

Mr. Sanders asked for clarification for the lot meeting RM-1 zoning. Ms. Ireland confirmed.

**Motion:** It was moved by Mr. Walker, and seconded by Mr. Sanders, to approve the Concept Plan for Plat application.

**Roll call vote:** Ayes – David Dahl, Britton Sanders, Jon Scott Walker  
The motion was approved by a 3-0 vote.

**(B) PC#7-20 Conditional Use Application**

**Owner/  
Applicant:** Beach House of Jacksonville Beach, LLC  
645 Mayport Road, Suite 5  
Atlantic Beach, FL 32233

**Location:** 1401 South 1<sup>st</sup> Street (Waterfall Condominiums)

**Conditional Use Application** to extend the current approval for a temporary real estate sales office for a proposed condominium project located in a *Residential, multiple-family: RM-2* zoning district, pursuant to Section 34-340(d)(15) of the Jacksonville Beach Land Development Code.

**Staff Report:**

The subject oceanfront property is located on 1<sup>st</sup> Street South, between 14<sup>th</sup> and 15<sup>th</sup> Avenues South. The property received development plan approval (SP#17-3) for the construction of a nine-story, 42-unit oceanfront residential condominium project (*Waterfall Condominiums*). The subject property has vested rights for a building height of 109 feet.

The property owners originally received approval via PC#50-17 to place a temporary real estate sales office on the subject property while the design and construction plans for the oceanfront condominium project were being finalized. The Planning Commission approved the request with the condition that the approval would expire 18 months after the certificate of occupancy for the sales office was issued. Approval of PC#50-17 expired on October 4, 2019.

The property owners subsequently applied to extend the approval of that temporary real estate sales office and received approval under PC#28-19. Conditions of approval included a six-month expiration date, and the property owner was asked to address any maintenance issues on the site, such as paint, cleaning, and landscaping. The property owners cleaned the building and addressed the maintenance issues as instructed. Compliance was confirmed by the Building Official. The approval of PC#28-19 expired on April 3, 2020. The applicant was informed by staff that they would need approval to continue operations at the real estate office.

Adjacent uses include residential condominiums to the north and south, single-family and townhouse residential to the west, with the Atlantic Ocean to the east. Continued use of the subject property as a temporary real estate office should not negatively impact adjacent properties as adequate parking, access and landscaping have been provided, and the temporary office would ultimately be removed from the subject property. The City has received no formal complaints about the temporary office since approval of #28-19.

**Public Hearing:**

The following submitted an email in opposition of the agenda item:

- Menno Terriet, 1505 1<sup>st</sup> Street South, Jacksonville Beach

Mr. William Corley, General Counsel for the applicant, was present. Mr. Corley stated the project had taken on a new development partnership to move forward. Mr. Corley stated the new partnership would bring new interest and more marketing opportunities for the development.

Mr. Corley stated the previous maintenance complaints had been addressed and fixed.

Mr. Dahl closed the Public Hearing.

**Discussion:**

Conversation ensued regarding how long a temporary structure could remain on a property. Mr. Corley clarified the request for extension is for an additional six months. Mr. Corley stated the site is prepared for City inspections and would be willing to meet any additional requests from the City regarding the state of the property.

**Motion:** It was moved by Mr. Sanders, and seconded by Mr. Walker, to approve a six-month extension with regular inspections from the City regarding landscaping and cleaning while the temporary structure on the site.

**Roll call vote:** Ayes – Britton Sanders, Jon Scott Walker, David Dahl

The motion was approved by a 3-0 vote.

(C) **PC#8-20**      **Conditional Use Application**

**Owner/  
Applicant:** Bobby Rose  
131 North 10<sup>th</sup> Avenue  
Jacksonville Beach, FL 32250

**Location:** 131 North 10<sup>th</sup> Avenue

**Conditional Use Application** for a Type II Home Occupation located in a *Residential, multiple-family: RM-2* zoning district, pursuant to Section 34-340 (d) (3) of the Jacksonville Beach Land Development Code.

**Staff Report:**

The subject property is located on the north side of 10<sup>th</sup> Avenue North between 1<sup>st</sup> and 2<sup>nd</sup> Streets North and has a single-family residential dwelling on it that has been there since 1960. The owner is utilizing a portion of the residence for his business, *Bar Code Equipment Service, LLC*. Because the business owner has a non-resident employee working at the home occupation location, he was informed by staff that conditional use approval as a Type II home occupation would be required.

Limitations of Type II home occupations include the follows:

- No more than 25% of the gross floor area of the dwelling can be used for the home occupation, garage, and accessory structures are not permitted to be used for home occupations;
- One (1) employee in addition to the residents is permitted;
- One (1) unilluminated sign not to exceed one (1) square foot in area may be approved;
- The use of electrical equipment not normally found in the home is prohibited;
- Advertising of the home occupation cannot include the specific address;
- Commercial vehicles are prohibited from parking in the open on-site; and
- The home occupation use must remain secondary or incidental to the residential use.

Adjacent uses include multiple family to the north, single and multiple family to the east, a vacant lot directly to the west, and multiple family to the south. The continued operation of the home occupation at the subject property should not negatively impact adjacent properties as long as the business complies with the Type II home occupation standards of the Land Development Code.

**Public Hearing:**

The following submitted an email in opposition to the agenda item:

- Fred and Barbara Zahn, 118 10<sup>th</sup> Avenue North, Jacksonville Beach

Applicant, Mr. Bobby Rose, provided the history of his company. Mr. Rose stated there is no customer traffic at this home-based business. Mr. Rose stated UPS [United Parcel Service] picks up and delivers packages twice a week. Mr. Rose stated he currently has one full-time employee and one part-time employee working in an apartment space with a separate entrance at the location.

Mr. Sanders asked Mr. Rose if he foresees the need for more employees in the future. Mr. Rose stated he did not see the need for more employees due to the state of the current economy.

Mr. Sanders asked if repairing the barcode equipment makes noise. Mr. Rose stated it does not make noise to repair the equipment.

The following people spoke in opposition to the agenda item:

- Mike Morgan, 1149 2<sup>nd</sup> Street North, Jacksonville Beach
- L.H. Sweeny II, 1151 2<sup>nd</sup> Street North, Jacksonville Beach

The following spoke in support of the agenda item:

- Maudeanne Rose, 131 North 10<sup>th</sup> Avenue

Ms. Ireland clarified the difference between a Type I and Type II Home Occupation permit. Ms. Ireland stated a Type I Home Occupation permit is already a permitted use. The Planning Commission would be voting whether to approve a Type II Home Occupation permit allowing one employee.

Mr. Dahl closed the Public Hearing.

**Discussion:**

There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Sanders and seconded by Mr. Walker to approve Conditional Use Application.

**Roll call vote:** Ayes – Britton Sanders, David Dahl  
Nays – Jon Scott Walker  
The motion was approved by a 2-1 vote.

**(D) PC#9-20 Concept Plan for Plat Application**

**Owner/  
Applicant:** Hoose B, LLC  
7563 Philips Highway Suite 208  
Jacksonville, FL 32256

**Agent:** Connelly & Wicker, Inc.  
10060 Skinner Lake Drive Suite 500  
Jacksonville, FL 32246

**Location:** 921 South 2<sup>nd</sup> Avenue

**Concept Plan for Plat Application** for a proposed three lot, fee-simple townhouse subdivision located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

**Staff Report:**

The subject property is located on the north side of 2<sup>nd</sup> Avenue South between 9<sup>th</sup> and 10<sup>th</sup> Streets and contains a single-family dwelling unit that was built in 1940. The new owner/applicant wishes to redevelop the property as a three-unit fee-simple townhouse project.

The applicant's proposed site plan shows three attached fee-simple townhouse lots that meet the minimum *Residential, multiple-family RM-1* townhouse lot sizes and street frontage standards, (2,500 square foot exterior lots, and 1,500 square foot interior lots).

Adjacent property uses include a vacant residential lot to the east, single-family to the west, single and multiple family to the south, and single-family to the north. The proposed three-unit townhouse project is consistent with the *RM-1* zoning district requirements.

**Public Hearing:**

Mr. Charles Kennedy, a representative of Agent, was present to answer any questions from the Planning

Commission.

Mr. Dahl closed the Public Hearing.

**Discussion:**

There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Walker, and seconded by Mr. Sanders, to approve the Concept Plan to Plat application

**Roll call vote:** Ayes – Jon Scott Walker, David Dahl, Britton Sanders

The motion was approved by a 3-0 vote.

**(E) PC#10-20 Concept Plan for Plat Application**

**Owner/  
Applicant:** Sparkle Homes, LLC  
7563 Philips Highway, Building 500  
Jacksonville, FL 32256

**Agent:** Connelly & Wicker, Inc.  
10060 Skinner Lake Drive, Suite 500  
Jacksonville, FL 32246

**Location:** 850 South 5<sup>th</sup> Avenue (westerly five townhouse lots)

**Concept Plan for Plat Application** for amendment of an approved five lot, fee-simple townhouse subdivision located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

**Staff Report:**

The subject property is located on the south side of 5<sup>th</sup> Avenue South between 8<sup>th</sup> and 9<sup>th</sup> Streets South and was previously part of a larger parcel. The property received concept plan for plat approval as part of a fifteen-unit townhouse development on May 13, 2019, under PC#11-19. The applicant wishes to slightly amend the lot widths for the westerly five townhouse lots. Each proposed new lot is still consistent with the required minimum lot sizes and widths for townhouse lots in *RM-1* zoning districts.

Adjacent uses include multifamily to the north, south, east, and west. Directly to the south are six two-family dwellings. To the north, east and west are properties owned by the Jacksonville Housing Authority (JHA). Each of these JHA properties is being redeveloped with 16 new units each, with required parking provided on-site. The proposed townhouse project is consistent with both the existing and proposed multiple-family uses surrounding the subject property.

**Public Hearing:**

Mr. Charles Kennedy, a representative for Agent, was present to answer any questions from the Planning Commission.

Mr. Dahl closed the Public Hearing.

**Discussion:**

There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Walker, and seconded by Mr. Sanders, to approve the Concept Plan to Plat application.

**Roll call vote:** Ayes – Britton Sanders, Jon Scott Walker, David Dahl

The motion was approved by a 3-0 vote.

**Planning & Development Director's Report**

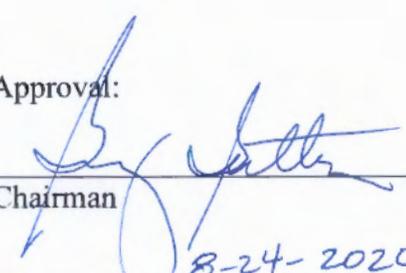
Ms. Ireland announced training for Board Members had been scheduled for July 13, 2020, starting at 6:00 P.M. in the Council Chambers. The next Planning Commission meeting is scheduled for July 13, 2020, at 7:00 P.M.

**Adjournment**

There being no further business coming before the commission, Mr. Dahl adjourned the meeting at 7:54 P.M.

Submitted by: Jodilynn Byrd  
Administrative Assistant

Approval:

  
Chairman

Date

8-24-2020